

NRDC

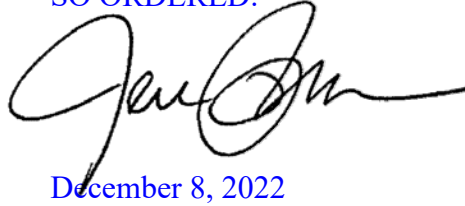
December 8, 2022

Application GRANTED. The Clerk of Court is directed to terminate ECF No. 71.

By ECF

Honorable Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

SO ORDERED.



December 8, 2022

Re: *NRDC et al. v. Granholm et al.*, No. 20-cv-9127 (JMF)

Dear Judge Furman,

We write on behalf of plaintiffs Natural Resources Defense Council, Public Citizen, Center for Biological Diversity, Consumer Federation of America, Massachusetts Union of Public Housing Tenants, and Sierra Club (collectively “Public Interest Plaintiffs”) in the above-referenced matter.

Public Interest Plaintiffs’ motion for costs of litigation (including attorneys’ fees) is presently due on December 19, 2022. *See* Consent Decree ¶ 25, ECF No. 70. Public Interest Plaintiffs are engaged in settlement discussions with Defendants related to this issue. To allow further time to attempt to resolve these claims without motions practice, Public Interest Plaintiffs respectfully request that the Court extend the deadline for their motion for litigation costs by sixty days, to February 17, 2023.

This is Public Interest Plaintiffs’ first request for an extension of the Consent Decree’s litigation-costs deadline. Defendants consent to this request.¹ There are no other existing court deadlines or scheduled court appearances in this matter.

Sincerely,

/s/ Jared E. Knicley

Jared E. Knicley, admitted pro hac vice
Joseph Vukovich, admitted pro hac vice
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005
jknicley@nrdc.org
Counsel for Plaintiffs NRDC & Public Citizen

¹ Pursuant to Consent Decree ¶¶ 11, 13, Public Interest Plaintiffs also conferred with the other parties to the Consent Decree. State Plaintiffs (Case No. 20-cv-9362) and Plaintiff-Intervenors do not oppose the requested extension.

/s/ Timothy Ballo (with permission)

Timothy Ballo, admitted pro hac vice
Earthjustice
1001 G Street NW, Suite 1000
Washington, DC 20001
tballo@earthjustice.org
*Counsel for Plaintiffs Center for Biological Diversity,
Consumer Federation of America, Massachusetts
Union of Public Housing Tenants, & Sierra Club*

cc: counsel for Defendants, State Plaintiffs, and Plaintiff-Intervenors (via ECF)